

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**RAYMOND DAVIS, SR.,**)  
v. )  
**Plaintiff,**)  
v. )  
**CITY OF CLARKSVILLE,**)  
**Defendant.**)  
No. 3:09-cv-0585  
Judge Nixon  
Magistrate Judge Griffin  
JURY DEMAND

## ORDER

Pending before the Court is Defendant City of Clarksville's Motion for Attorney Fees ("Defendant's Motion") (Doc. No. 48), filed along with a Memorandum in Support (Doc. No. 49). Also pending before the Court is Plaintiff Raymond Davis, Sr.'s Motion for Extension of Time to File a Response to Defendant's Motion ("Plaintiff's Motion"). (Doc. No. 50.)

This Court granted Defendant's Motion for Summary Judgment on December 2, 2010. (Doc. No. 46.) Plaintiff's Motion was filed on December 21, 2010 (Doc. No. 50), and Plaintiff subsequently filed a Notice of Appeal on December 31, 2010 (Doc. No. 51). The case is now pending before the Sixth Circuit. In light of these circumstances, the Court finds that resolving the attorney fee issue prior to the Sixth Circuit's ruling would not be in the interest of judicial economy. Accordingly, Defendant's Motion is **DENIED** without prejudice to re-file pending the outcome of the appeal process. Plaintiff's Motion is therefore **TERMINATED as moot**.

It is so ORDERED.

Entered this the 11 day of July, 2011.

JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT